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April 6, 2001  
TOWNSEND and TOWNSEND and CREW LLP

By: 

PATENT  
Attorney Docket No.: 15280-403100US  
Client Reference No.: E-194-99/1

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:

Peter L. Collins et al.

Application No.: 09/611,829

Filed: July 7, 2000

For: PRODUCTION OF ATTENUATED  
RESPIRATORY SYNCYTIAL VIRUS  
VACCINES INVOLVING  
MODIFICATION OF M2 ORF2

Examiner: Unassigned

Art Unit: 1645

**INFORMATION DISCLOSURE  
STATEMENT UNDER 37 CFR §1.97 and  
§1.98**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

The references cited on attached form PTO-1449 are being called to the attention of the Examiner. Copies of the references are enclosed. It is respectfully requested that the cited references be expressly considered during the prosecution of this application, and the references be made of record therein and appear among the "references cited" on any patent to issue therefrom.

Applicants believe that their invention as claimed is patentable over the above references taken alone or in any combination. As provided for by 37 CFR 1.97(g) and (h), no inference should be made that the information and references cited are prior art merely because they are in this statement and no representation is being made that a search has been conducted

or that this statement encompasses all the possible relevant information. No inference should be drawn as to the pertinence of the references based on the order in which they are presented.

It is further requested that the disclosure and claims presently or subsequently presented in the following, copending U.S. Patent Applications, as well as any related applications now or subsequently claiming priority to one or more of the following U.S. Patent Applications, be expressly considered and made of record in the instant case as potentially disclosing or claiming subject matter material to examination of the present application.

U.S. Patent Application No. 08/453,304, filed on 05/30/95, by Murphy et al.;  
U.S. Patent Application No. 08/720,132, filed on 09/27/96, by Collins;  
U.S. Patent Application No. 09/291,894, filed on 04/13/99, by Collins et al.;  
U.S. Patent Application No. 09/350,821, filed on 07/09/99, by Durbin et al.;  
U.S. Patent Application No. 09/444,067, filed on 11/19/99, by Murphy et al.;  
U.S. Patent Application No. 09/444,221, filed on 11/19/99, by Murphy et al.;  
U.S. Patent Application No. 09/602,212, filed on 06/23/00, by Buchholz et al.;  
U.S. Patent Application No. 09/611,829, filed on 07/07/00, by Collins et al.;  
U.S. Patent Application No. 09/614,285, filed on 07/12/00, by Collins;  
U.S. Provisional Patent Application No. 60/213,708, filed on 06/23/00, by  
Krempel et al.

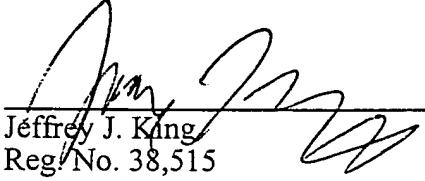
Applicant believes that no fee is required for submission of this statement, since it is being submitted prior to the first Office Action. However, if a fee is required, the Commissioner is authorized to deduct such fee from the undersigned's Deposit Account No. 20-1430.

Please deduct any additional fees from, or credit any overpayment to, the above-noted Deposit Account.

Respectfully submitted,

Dated: \_\_\_\_\_

4/6/01

  
Jeffrey J. King  
Reg. No. 38,515

**Customer No. 20350**

TOWNSEND and TOWNSEND and CREW LLP  
Two Embarcadero Center, 8<sup>th</sup> Floor  
San Francisco, California 94111-3834  
Tel: 206-467-9600  
Fax: 415-576-0300

JJK:imp

SE 5005900 v3

FORM PTO-1449 (Modified)		Attorney Docket No.: 15280-403100US		Application No.: 09/611.829		
LIST OF PATENTS AND PUBLICATIONS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT (Use several sheets if necessary)		Applicant: Peter L. Collins et al.				
		Filing Date: July 7, 2000		Group: 1645		
Reference Designation		U.S. PATENT DOCUMENTS				Page 1
Examiner Initial	Document No.	Date	Name	Class	Sub-class	Filing Date (If Appropriate)
____ AA	5,716,821	02/20/98	Wertz et al.	435	235.1	
____ AB	5,789,229	08/04/98	Wertz et al.	435	235.1	
____ AC	5,869,036	02/09/99	Belshe et al.	424	93.2	
____ AD	5,882,651	03/16/99	Murphy et al.	424	211.1	
____ AE	5,922,326	07/13/99	Murphy et al.	424	211.1	
____ AF	5,993,824	11/30/99	Murphy et al.	424	211.1	
____ AG	6,033,886	03/07/00	Conzelmann	435	172.3	
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	Document No.	Date	Country	Class	Sub-class	Translation (Yes/No)
____ AH	WO 93/14207	07/22/93	PCT	C12N	15/45	
____ AI	WO 93/21310	10/28/93	PCT	C12N	15/01	
____ AJ	WO 97/06270	02/20/97	PCT	C12N	15/86	
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____ AL	WO 97/12032	04/03/97	PCT	C12N	7/04	
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____ AN	WO 98/02530	01/22/98	PCT	C12N	7/04	
____ AO	WO 98/43668	10/08/98	PCT	A61K	39/155	
____ AP	WO 98/53078	11/26/98	PCT	C12N	15/45	
____ AQ	WO 99/02657	01/21/99	PCT	C12N	7/00	
____ AR	WO 99/15631	04/01/99	PCT	C12N	7/04	
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____ AT	WO 00/61737	10/19/00	PCT	C12N	15/00	
____ AU	WO 01/04321	01/18/01	PCT	C12N	15/45	
____ AV	WO 01/04271	01/18/01	PCT	C12N	07/00	
____ AW	0 440 219 A1	08/07/91	EUROPE	C12N	15/45	
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OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.)						
____ AY	Bailly et al., "A Recombinant Human Parainfluenza Virus Type 3 (PIV3) in Which the Nucleocapsid N Protein Has Been Replaced by That of Bovine PIV3 Is Attenuated in Primates," <u>J. Virol.</u> 74:3188-3195, 2000					
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		Filing Date: July 7, 2000	Group: 1645
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		Filing Date: July 7, 2000	Group: 1645
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EXAMINER		DATE CONSIDERED	

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.